

From: Best, Tish (NIH/OD) [E]
Sent: Thursday, July 05, 2012 2:19 PM
To: List NIH1102-L
Cc: Duval, William (NIH/OD) [E]; Laycock, Gail; gail.laycock@acentia.com
Subject: Workform Update

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The workforms have been updated to incorporate the changes required by FAC 2005-59, NIH's June 15, 2012 Memorandum, entitled, "Implementation Guidance of the DHHS Efficient Spending Policy," a new contract article sponsored by the NIH Office of Communications which implements NIH requirements related to web sites, NIH logos, publications & audio visuals and social media, and other housekeeping changes. The updated files are dated 7/5/2012 and can be found on the NIH OAMP Internet at <http://oamp.od.nih.gov/DGS/DGShomepage.html>. The Document Generation System (DGS) can be accessed at: <http://dgs.nci.nih.gov/dgs/index.jsp>.

The following is an explanation of the changes made to each workform. If you would like additional summary or detailed information about FACs 2005-59, you may access the Federal Register Notice, under General Services Administration at:

- <http://www.gpo.gov/fdsys/search/getftoc.action?selectedDate=2012-05-10>

I. Contract

II. RFP

III. SECTION K (NIH Representations & Certifications) (<http://oamp.od.nih.gov/DGS/FORMS/sectionk.pdf>)

IV. COMMERCIAL ITEMS CLAUSES (FAR Clauses 52.212-1 through 52.212-5)

NOTE: These files may be accessed from the OAMP Website under DGS/Contracting Forms at: http://oamp.od.nih.gov/DGS/DGS_CI_clauses.html

EXPLANATION OF CHANGES MADE TO THE CONTRACT:

1. **Item 196, Page 74, Article G.9. Invoice Submission/Contract Financing Request, subparagraph a.3.**, has been added, for NCI OA use only, to specify invoice submission instructions.
2. **Item 206, Page 78, Article G.9. Invoice Submission/Contract Financing Request and Contract Financial Report, subparagraph a.3.**, has been added, for NCI OA use only, to specify invoice submission instructions.
3. **Item 218, Page 83, Article G.10. Letter of Credit Payment Information, subparagraph c.3.**, has been added, for NCI OA , use only to specify invoice submission instructions.
4. **Item 228, Page 228, Article G.11. Invoice Submission, subparagraph a.3.**, has been added, for NCI OA use only, to specify invoice submission instructions.
5. **Item 239, Page 94, Article G.14. Government Property**, has been revised to correct the phone number listed for the Division of Personal Property Services, NIH.
6. **Item 303, Page 126, Article H.42. Communications Materials and Services**, clause has been added to the contract template to be used in solicitations and contracts that involve the development, maintenance, and/or distribution of NIH Sponsored Communication materials and/or services, i.e. websites, printed products, campaign materials, and products bearing Federal marks, trademarks, and logos.
7. **Item 392, Page 175, Article H.80. Use of Funds for Conferences, Meetings and Food (PRESCRIPTION ONLY)**, clause has been revised in accordance with the HHS Efficient Spending Policy, date June 7, 2012 and the NIH Policy Memorandum Implementation Guidance, dated June 15, 2012.
8. **Item 437, Page 223, Article I.2.s. FAR Clause, 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act**, has been updated to May, 2012 in accordance with Item II of FAC 2005-59.
9. **Item 438, Page 224, Article I.2.t. FAR Clause 52.225-5, Trade Agreements**, has been updated to May 2012 in accordance with Item II of FAC 2005-59.
10. **Item 489, Page 232, Article I.3.a.13. FAR Clause 52.209-10 Prohibition on Contracting with Inverted Domestic Corporations**, has been updated to May 2012 in accordance with Item I of FAC 2005-59.
11. **Item 567, Page 247, Article I.3.a. 91. FAR Clause 52.230-2, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.

- 12. Item 568, Page 247, Article I.3.a.92. FAR Clause 52.230-3, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
- 13. Item 569, Page 248, Article I.3.a.93. FAR Clause 52.230-4, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
- 14. Item 570, Page 248, Article I.3. a.91. FAR Clause 52.230-5, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
- 15. Items 635 & 636, Pages 265 & 268, Articles I.4.a.9. and 10. FAR Clause 52.225-11 Buy America Act-Construction Materials Under Trade Agreements**, has been updated to May 2012 and adds Colombia under Designated Country (2) in accordance with Item II of FAC 2005-59.
- 16. Items 638 & 639, Pages 271 & 275, Articles I.4.a.12. & 13. Buy America Act-Construction Materials Under Trade Agreements**, has been updated to May 2012 and adds Colombia under Designated Country (2) in accordance with Item II of FAC 2005-59.

Manual Maintenance: It is recommended that you print and replace the entire "Contract Handbook" file under DGS Handbook Files from the NIH OAMP Internet. (Please note that this document has been formatted for a XEROX Work Centre 7775. If using another printer definition, the page numbers listed above may differ on your document. However, the ITEM NUMBERS will always be the same.)

EXPLANATION OF CHANGES MADE TO THE RFP:

- 1. Item 142, Page 61, Article G.8. Invoice Submission/Contract Financing Request, subparagraph a.3.**, has been added, for NCI OA use only, to specify invoice submission instructions.
- 2. Item 152, Page 67, Article G.9. Invoice Submission/Contract Financing Request and Contract Financial Report, subparagraph a.3.**, has been added, for NCI OA use only, to specify invoice submission instructions.
- 3. Item 164, Page 72, Article G.10. Letter of Credit Payment Information, subparagraph c.3.**, has been added, for NCI OA , use only to specify invoice submission instructions.
- 4. Item 174, Page 76, Article G.11. Invoice Submission, subparagraph a.3.**, has been added, for NCI OA use only, to specify invoice submission instructions.
- 5. Item 234, Page 110, Article H.40. Communications Materials and Services**, clause has been added to the contract template to be used in solicitations and contracts that

involve the development, maintenance, and/or distribution of NIH Sponsored Communication materials and/or services, i.e. websites, printed products, campaign materials, and products bearing Federal marks, trademarks, and logos.

6. **Item 323, Page 160, Article H.80. Use of Funds for Conferences, Meetings and Food (PRESCRIPTION ONLY)**, clause has been revised in accordance with the HHS Efficient Spending Policy, date June 7, 2012 and the NIH Policy Memorandum Implementation Guidance, dated June 15, 2012.
7. **Item 365, Page 168, Article I.2.o. FAR Clause, 52.225-3, Buy American Act—Free Trade Agreements—Israeli Trade Act**, has been updated to May, 2012 in accordance with Item II of FAC 2005-59.
8. **Item 366, Page 168, Article I.2.p. FAR Clause 52.225-5, Trade Agreements**, has been updated to May 2012 in accordance with Item II of FAC 2005-59.
9. **Item 416, Page 176, Article I.3.a.13. FAR Clause 52.209-10 Prohibition on Contracting with Inverted Domestic Corporations**, has been updated to May 2012 in accordance with Item I of FAC 2005-59.
10. **Item 492, Page 190, Article I.3.a.89. FAR Clause 52.230-2, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
11. **Item 493, Page 190, Article I.3.a. 90. FAR Clause 52.230-3, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
12. **Item 494, Page 190. Article I.3.a.91. FAR Clause 52.230-4, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
13. **Item 495, Page 191, Article I.3.a. 92. FAR Clause 52.230-5, Cost Accounting Standards**, has been updated to May 2012 and removes \$650,000 from the Disclosure Statement I and adds \$700,000 in its place in accordance with Item III of FAC 2005-59.
14. **Items 558 & 559, Pages 206 & 210, Articles I.4.a.9. and 10. FAR Clause 52.225-11. Buy America Act-Construction Materials Under Trade Agreements**, has been updated to May 2012 and adds Colombia under Designated Country (2) in accordance with Item II of FAC 2005-59.
15. **Items 561 & 562, Pages 213 & 217, Articles I.4.a.12. and 13. Buy America Act-Construction Materials Under Trade Agreements**, has been updated to May 2012 and adds Colombia under Designated Country (2) in accordance with Item II of FAC 2005-59.

Manual Maintenance: It is recommended that you print and replace the entire “RFP Handbook” file under DGS Handbook Files from the NIH OAMP Intranet. (Please note that this document has been formatted for a XEROX Work Centre 7775. If using another printer definition, the page numbers listed above may differ on your document. However, the ITEM NUMBERS will always be the same.)

EXPLANATION OF CHANGES MADE TO SECTION K (NIH Representations & Certifications):

- 1. Part 1, Annual Representations and Certifications, FAR Clause 52.204-8**, has been updated to May 2012. Subparagraph (c)(1)(v) FAR 52.209-2, Prohibition on Contracting with Inverted Domestic Corporations—Representation, has been revised to update the applicability of the clause in accordance with Item I of FAC 2005-59.
- 2. Part 3, Cost Accounting Standards Notices and Certification, FAR Clause 52.230-1**, has been updated to May 2012 in accordance with Item III of FAC 2005-59.

EXPLANATION OF CHANGES MADE TO THE COMMERCIAL ITEMS CLAUSES:

- FAR Clause 52.212-5, Contract Terms and Conditions Required to Implement Statutes or Executive Orders—Commercial Items, has been updated to May, 2012 to:
 - Update subparagraph b.(8) in accordance with Item I of FAC 2005-59;
 - Update subparagraph b. (40) in accordance with Item I of FAC 2005-59; and,
 - Update subparagraph b. (41) in accordance with Item II of FAC 2005-59

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